

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAYMOND E. PEYTON,
Plaintiff,

v.

B. CATES,
Defendant.

Case No. 1:21-cv-00740-DAD-EPG (PC)

ORDER DENYING PLAINTIFF'S REQUEST
FOR ENTRY OF DEFAULT JUDGMENT BY
CLERK OF COURT

(ECF No. 10)

Raymond Peyton ("Plaintiff") is a state prisoner proceeding *pro se* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On August 2, 2021, Plaintiff filed a motion for default judgment. (ECF No. 8). On August 4, 2021, Plaintiff's motion was denied, in large part because no defendant had defaulted. (ECF No. 9, p. 2). On that same day, Plaintiff filed a request for entry of default judgment by the Clerk of Court. (ECF No. 10). As no defendant has defaulted,¹ IT IS ORDERED that Plaintiff's request for entry of default judgment by the Clerk of Court is DENIED.

IT IS SO ORDERED.

Dated: August 5, 2021

/s/ Eric P. Shoup
UNITED STATES MAGISTRATE JUDGE

¹ Nothing in Plaintiff's request changes the analysis in the Court's August 4, 2021 order.